

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

150

KEVIN JEROME WASHINGTON,

Defendant.

Case No. 2:11-cr-00101-KJD-CWH

ORDER

Presently before the court is the government's Motion to Strike Defendant Washington's Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 44), filed on July 18, 2017. Defendant did not file a response.

Defendant was sentenced in 2011. (Mins. of Proceedings (ECF No. 25); J. (ECF No. 26).) The court held a hearing regarding the revocation of Defendant's supervised release and imposed a sentence on July 26, 2017. (Mins. of Proceedings (ECF No. 46); J. on Revocation of Supervised Release (ECF No. 47).) Given that the "right to be free from unwarranted restraints" applies in the pretrial, trial, and sentencing phases of a case, and that Defendant has been sentenced, the court will deny the government's motion as moot. *United States v. Sanchez-Gomez*, 859 F.3d 649, 660-61 (9th Cir. 2017).

IT IS THEREFORE ORDERED that the government's Motion to Strike Defendant Washington's Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 44) is DENIED as moot.

DATED: November 2, 2017

C.W. Hoffman, Jr.
United States Magistrate Judge